

ment. That is on page 11, line 23, strike "or" and insert ", ". Is that the one? Fine. I would ask for the adoption of this amendment. I would move for the adoption of the first committee amendment.

SPEAKER LUEDTKE: Motion has been made to adopt the amendment which is in your book as the second amendment, I believe. Isn't it, Senator Barnett?

SENATOR BARNETT: I'm referring to the sheet we passed out this morning. I think you're probably right, Senator Luedtke. It is strictly a drafting error and requires really no explanation. It should say a "Class I(b) felony" should have been included in the crimes above a Class II felony. It is a drafting error strictly.

SPEAKER LUEDTKE: Your motion is to adopt the committee amendment.

SENATOR BARNETT: ...committee amendment, which is the first amendment, which would correct the drafting error.

SPEAKER LUEDTKE: To correct the drafting error. Is there any discussion on the proposed amendment? Seeing none, all those in favor of the committee amendment to correct the drafting error will vote aye, opposed nay.

CLERK: Senator, is that also the same as committee amendment number 2?

SENATOR BARNETT: Yes.

SPEAKER LUEDTKE: This is committee amendment 2 that is in the bill book. That is the way I understood it. It requires 25 votes. Have you all voted? Record the vote.

CLERK: 26 ayes, 0 nays to adopt the committee amendment.

SPEAKER LUEDTKE: The committee amendment is adopted. Senator Barnett.

SENATOR BARNETT: Now I would like to try something. If Senator DeCamp is around, or somebody that was in on this request meeting. I think we can aid, and I think we can probably assist and get a lot of these amendments done with one sweep, unless we go through each one separate. This request amendment is the request amendment and not a committee amendment. This refers to a study group of senators that was interested in changing the word "crime". This will be on page 12, line 9. We insert "felony". We are leaving that section as it is in the present statutes, in present law today. The study group of people that have talked about the drafting of the criminal code changed this to a crime. Then as we went through it the other day we found out the penalties were messed up. You were getting a more severe penalty for the misdemeanor than you were for the felony. What it does is leave existing law as it is because existing law does not provide for the crime of conspiracy to commit a misdemeanor. I think that is a fairly good explanation of what we're trying to do. We're trying to leave the present law as it is instead of changing it to include misdemeanors.

SPEAKER LUEDTKE: This is an amendment which is on the desks of the members.